

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 8, 2007

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

Each of the following:

B191005 Peo v. Richard G.

B189481 Peo v. Lewis

B192338 Peo v. Curtis

Argument waived, cause submitted.

B186001 Thomas Lesinski et al.,
 v.
 Martin Blank, Jr. et al

Merits:

Argued by Gerald Serlin for appellants and by Albert Sassoe, Jr. for
respondents. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J. and J. Belcher, Deputy Clerk.

B192121 Jackson v. Darling

Argument waived, cause submitted.

DIVISION FIVE (continued)

B193433 People
 v.
 Alvaro J.

Merits:

Argued by Gerald Peters for appellant and by David Wildman, deputy attorney general, for respondent. Cause submitted.

B194714 Los Angeles County, D.C.S.
 v.
 Anna P.
 Children's Law Center

Merits:

Argued by Seth Stodder for appellant Children's Law Center and by Merrill Toole and Christopher Blake for respondents. Cause submitted.

B189574 Michael Frazier
 v.
 California Department of Health Services

Keith Greer for appellant. Richard Waldrow, deputy attorney general, for respondent. Appeared, waived argument. Cause submitted.

Court recessed.

Court reconvened at 11:05 a.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

DIVISION FIVE (continued)

B190197 People
 v.
 Andres Gonzalez

Merits:

Argued by Edward Haggerty for appellant and by Michael Katz, deputy attorney general, for respondent. Cause submitted.

B192349 Richard Perlman
 v.
 Vitraccoat America, Inc.

Merits:

Argued by Richard Perlman appellant in propria persona and by Michael Matthias for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Turner, P.J., Mosk, J., Kriegler, J. and J. Belcher, Deputy Clerk.

Each of the following:

B194362 Peo v. Brian A.
B190756 Peo v. Seymour
B191185 Peo v. Brim
B191992 Peo v. Jenkins
B188600 Peo v. Martinez

Argument waived, cause submitted.

DIVISION FIVE (continued)

B190114 Pedro Martinez et al
 v.
 Jose Martinez

Merits:

Gerald Serlin appeared for appellant, waived argument. No appearance by respondent. Cause submitted.

B191267 Calvin Franklin
 v.
 The Monadnock Company et al

Merits:

Argued by Scott Cummings for appellant and by Michael Mandel for respondents. Cause submitted.

Court adjourned.

B188676 Harold Baxter (Certified for Partial Publication)
 v.
 Gail Peterson

The verdict on the statute of limitations is affirmed. The verdicts on liability and punitive damages are reversed. The trial court is instructed on remand to reinstate Baxter's quantum meruit claim, and to limit any retrial to the issues of liability and compensatory damages, measured in a manner consistent with Civil Code section 3343. No costs are awarded.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

May 8, 2007 (Continued)

DIVISION SIX

Court convened at 9:00 a.m.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

Each of the following:

B189071 Backman v. Bd. of Retirement Ventura Co. Employees' Retirement System
B189977 Allstate Ins. Co. v. Mercury Ins. Co.

Argument continued to June, 2007.

Each of the following:

B180130 Gabel v. Fidelity National Foreclosure Solutions
B191479 Gabel v. Superior Bank

Argument continued to July, 2007.

B191880 Portfolio Recovery Assocs. v. Robinson

Argument waived, cause submitted.

B190448 Collins
v.
LeBard

Appearances:

Sarah Yoseloff appears for respondent. No appearance on behalf of
appellant. Argument waived, cause submitted.

Court recessed.

DIVISION SIX (continued)

Court reconvened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B196722 Reena B.

v.

Santa Barbara Superior Court
(Child Welfare Services, r.p.i.)

Appearances:

No appearance on behalf of petitioner. Real party in interest previously
waived presentation of argument. Cause submitted.

B196730 Joe M.

v.

Santa Barbara Superior Court
(Child Welfare Services, r.p.i.)

Appearances:

No appearance on behalf of petitioner. Real party in interest previously
waived presentation of argument. Cause submitted.

B190289 Rodriguez

v.

Nicoleyson

Appearances:

James T. Holmes appeared for respondents. No appearance on behalf of
appellant. Argument waived, cause submitted.

DIVISION SIX (continued)

B192841 Hardy
 v.
 Jonathan Paul Eyeware, LTD

Merits:

Argued by Gregory R. Ellis for appellant and by Thomas Patrick Gmelich for respondent. Cause submitted.

B192962 California Insurance Guarantee Assoc.
 v.
 Workers' Compensation Appeals Board
 State Compensation Ins. Fund, Respondent

Review:

Presented by Richard E. Guilford for petitioner and by Don E. Clark for respondent State Compensation Insurance Fund. Cause submitted.

Coffee, J. left the bench.

B184772 The People
 v.
 Acosta

Merits:

Argued by Michael C. McMahon, Chief Deputy Public Defender, for appellants Acosta, et al.; by Michael D. Schwartz, Special Assistant District Attorney, and Karen Wold, Senior District Attorney, for respondent; and by Neil B. Quinn for amicus curiae Campos in support of appellants. Cause submitted.

Court adjourned at 3:45 p.m.

May 8, 2007 (Continued)

DIVISION SIX (continued)

B189398 People
 v.
 Romero

Filed order denying petition for rehearing.

DIVISION EIGHT

B188613 People
 v.
 Imran Q.

Filed order granting petition for rehearing.